

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 12/2/2014	(3) CONTACT/PHONE Terry Wahler, Senior Planner / 781-5621	
(4) SUBJECT Hearings to consider resolutions for six proposals to amend agricultural preserves. AGP2014-00003 – Lewis G. Feuerstein - 4811 La Panza Road, north east of the community of Creston; AGP2014-00001 – Hiojt Ranches LLC - 4890 Huasna Road, 2.5 miles southeast of Arroyo Grande; AGP2013-00008 – John Decker - 295 Monte Cristo Place, 1 mile south of the Community of Cambria; AGP2013-00009 - Bradford Jones – located at the terminus of Monte Cristo Place, 1.4 miles south of the Community of Cambria; AGP2013-00011 – Proposal by Keith Martin - 8865 Chimney Rock Road 8 miles northwest of Paso Robles; AGP2013-00005 – Clayton Poteete – 1991 Noel Way - 4 miles north of Cambria. Districts 1, 2, 4 and 5.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Consider the attached staff reports and recommendations of the Agricultural Preserve Review Committee and the Planning Commission; 2. Hold public hearings; and 3. Act on the individual requests in the staff reports and instruct the chairman to sign the resolutions for Items A through F.			
(6) FUNDING SOURCE(S) Application Fees	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>30 minutes</u> ) <input type="checkbox"/> Board Business (Time Est.____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)  N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 1, District 2, District 4, District 5			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Terry Wahler, Senior Planner

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 12/2/2014

SUBJECT: Hearings to consider resolutions for six proposals to amend agricultural preserves.  
AGP2014-00003 – Lewis G. Feuerstein - 4811 La Panza Road, north east of the community of Creston; AGP2014-00001 – Hiojt Ranches LLC - 4890 Huasna Road, 2.5 miles southeast of Arroyo Grande; AGP2013-00008 – John Decker - 295 Monte Cristo Place, 1 mile south of the Community of Cambria; AGP2013-00009 - Bradford Jones – located at the terminus of Monte Cristo Place, 1.4 miles south of the Community of Cambria; AGP2013-00011 – Proposal by Keith Martin - 8865 Chimney Rock Road 8 miles northwest of Paso Robles; AGP2013-00005 – Clayton Poteete – 1991 Noel Way - 4 miles north of Cambria. Districts 1, 2, 4 and 5.

## **RECOMMENDATION**

It is recommended that the Board:

1. Consider the attached staff reports and recommendations of the Agricultural Preserve Review Committee and the Planning Commission;
2. Hold public hearings; and
3. Act on the individual requests in the staff reports and instruct the chairman to sign the resolutions for Items A through F.

## **DISCUSSION**

The objectives of the San Luis Obispo County Agricultural Preserve Program, as provided by the California Land Conservation Act of 1965 or Williamson Act, are to protect agricultural lands for continued production of food and fiber and limited types of land devoted to open-space and recreational uses.

An agricultural preserve is established by landowner request in an area devoted to an agricultural use, recreational use, and/or an open-space use as defined in and established in accordance with the California Land Conservation Act of 1965. Establishment of an agricultural preserve is a prerequisite for landowners to enter into land conservation contracts with the county (or a city). A land conservation contract is a contract entered into by and between the property owner and lien holders (if any) and the county (or a city) to enforceably restrict the use of the land for agricultural and compatible uses for a minimum term of 10 years or more.

These six applications to amend agricultural preserves include a detailed staff report and a proposed resolution with a map exhibit reflecting the action being taken. These six items involve family trusts, limited liability companies, and individuals as property owners. These applications will upon execution of a Land Conservation Contract, result in approximately 35 acres being added to the Williamson Act program.

## **LIST OF APPLICATIONS**

- A. FILE NUMBER: AGP2014-00003 – Proposal by Lewis G. Feuerstein to alter the boundaries of an Agricultural Preserve to add land and rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract for property that is currently in non-renewal. The property consists of approximately 313 acres located within the Agriculture land use category, at 4811 La Panza Road south of the intersection of La Panza Road and west of the intersection of La Panza Road and Ryan Road, approximately 1,500 feet north east of the community of Creston. The site is in the North County, El Pomar-Estrella (sub-area) planning area. APNs: 043-091-053, 063, 073 & 074; Supervisorial District No. 5
- B. FILE NUMBER: AGP2014-00001 – Proposal by Hiojt Ranches LLC to alter the boundaries of an Agricultural Preserve, rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment and added land. The resulting parcel will consist of approximately 380 acres within the Agricultural land use category and is located at 4890 Huasna Road, approximately 2.5 miles southeast of the Arroyo Grande city limits. The site is in the South County (Huasna-Lopez sub area) planning area. APNs: 048-191-001 & 002 (ptn); Supervisorial District No. 4
- C. FILE NUMBER: AGP2013-00008 – Proposal by John Decker to alter the boundaries of an Agricultural Preserve, rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property consists of approximately 340 acres within the Agricultural land use category and is located at 295 Monte Cristo Place, approximately 1,500 feet northwest of the intersection of Highway One and Highway 46, and approximately 1 mile south of the Urban Reserve Line of the Community of Cambria. The site is in the North Coast planning area. APN 013-181-020; Supervisorial District No. 2.
- D. FILE NUMBER: AGP2013-00009 - Proposal by Bradford Jones to alter the boundaries of an Agricultural Preserve, rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property consists of approximately 286 acres located within the Agriculture land use category, at Monte Cristo Place adjacent to and southwest of the terminus of Highway 46 at Highway 1, and approximately 1.4 miles south of the Urban Reserve Line of the Community of Cambria. The site is in the North Coast planning area. APN: 013-201-046; Supervisorial District No. 2.
- E. FILE NUMBER: AGP2013-00011 – Proposal by Keith Martin to amend an Agricultural Preserve to reduce the minimum parcel size, rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property consists of approximately 74.24 acres located within the Agriculture land use category, at 8865 Chimney Rock Road approximately 8 miles northwest of Paso Robles. The site is in the North County-Adelaida planning area. APN: 014-311-072; Supervisorial District No. 1.
- F. FILE NUMBER: AGP2013-00005 – A proposal by Clayton Poteete to alter the boundaries of an agricultural preserve and amend an existing land conservation contract by adding 1.7 acres through a lot line adjustment with a resulting 163 acre parcel. The property is located between Van Gordon Creek and the South Fork of Pico Creek about 1.0 mile northeast of the terminus of Van Gordon Creek Road and four miles north of Cambria. The property is in the North Coast Planning Area. APNs 011-291-027, 013-021-012 and portion of 013-021-011; Supervisorial District No. 2

## **OTHER AGENCY INVOLVEMENT/IMPACT**

These applications have been reviewed and recommended for approval by the Planning Commission and the Agricultural Preserve Review Committee. The latter body includes representatives from different organizations including the County Agricultural Liaison Committee, Agricultural Commissioner, Assessor's Office, Farm Advisor and County Planning Department. County Counsel approved the resolutions as to form and legal effect.

## **FINANCIAL CONSIDERATIONS**

Approval of agricultural preserve applications and ensuing land conservation contracts usually results in a significant reduction in county tax revenues received from the affected properties. Revenue losses have been in past years only partly compensated by state subventions but no subventions have been received since 2008/2009. However, the overall tax impacts should be considered on a program-wide basis rather than on an individual application basis.

The Assessor's Office has provided preliminary estimates of reductions in assessment values for the six properties being considered today. The total estimated annual reduction in property taxes for the six properties is \$ 2,470.

The landowners anticipate entering into new land conservation contracts at the latest by December 16, 2014, the last Board of Supervisors meeting date for the year.

## **RESULTS**

The amendments to agricultural preserves and the ensuing execution of a new land conservation contract (or amendment to an existing contract) between the property owner and the county will help keep this property in agriculture and compatible uses for at least 10 years. This is consistent with the countywide Vision Statement & Communitywide Results of having healthy and prosperous communities.

## **ATTACHMENTS**

Attachment A1 – Resolution and Graphic for AGP2014-00003 – Lewis G. Feuerstein  
Attachment A2 – Staff Report  
Attachment B1 – Resolution and Graphic for AGP2014-00001 – Hiojt Ranches LLC  
Attachment B2 – Staff Report  
Attachment C1 – Resolution and Graphic for AGP2013-00008 – John Decker  
Attachment C2 – Staff Report  
Attachment D1 – Resolution and Graphic for AGP2013-00009 – Bradford Jones  
Attachment D2 – Staff Report  
Attachment E1 – Resolution and Graphic for AGP2013-00011 – Keith Martin  
Attachment E2 – Staff Report  
Attachment F1 – Resolution and Graphic for AGP2013-00005 – Clayton Poteete  
Attachment F2 – Staff Report